

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Zachary Herman	Team: Squad #15	CCRB Case #: 201801935	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 03/10/2018 7:05 PM	Location of Incident: Jerome Avenue and West 170th Street	Precinct: 44	18 Mo. SOL 9/10/2019	EO SOL 9/10/2019	
Date/Time CV Reported Sat, 03/10/2018 11:45 PM	CV Reported At: Precinct	How CV Reported: In-person	Date/Time Received at CCRB Mon, 03/12/2018 3:19 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POF Sabrina Alicea	07951	948603	044 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POF Ana Alba	17376	963842	044 PCT
2. POM Omar Aguilmartine	18025	963837	044 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POF Sabrina Alicea	Discourtesy: Police Officer Sabrina Alicea acted discourteously toward § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On March 10, 2018, § 87(2)(b) filed this complaint in person at the 44th Precinct Stationhouse. On March 12, 2018, § 87(2)(b) filed this complaint with the CCRB, via the CCRB's website.

On March 10, 2018, at approximately 7:05pm, PO Ana Alba, PO Sabrina Alicea, and PO Omar Aguilar-Martinez stopped § 87(2)(b) and § 87(2)(b) in his vehicle in the vicinity of Jerome Avenue and West 170th Street in the Bronx for excessive window tints. PO Alba, PO Alicea, and PO Aguilar-Martinez approached the vehicle. § 87(2)(b) could not locate his driver's license initially. PO Alicea took § 87(2)(b)'s § 87(2)(b) employee identification card, and the officers returned to their vehicle. A few minutes later, § 87(2)(b) located his driver's license. PO Alicea returned to § 87(2)(b)'s windows, and allegedly flicked § 87(2)(b)'s § 87(2)(b) identification card into his vehicle on the driver's side (**Allegation A: Discourtesy** – § 87(2)(g) § 87(2)(b) was issued four summonses for § 87(2)(b)).

Video footage was provided to the investigation by § 87(2)(b)'s sister and a passenger in his vehicle at the time of the incident. The video footage was recorded by § 87(2)(b) on her cell phone. The video footage does not show any images related to the allegation under investigation.

Findings and Recommendations

Allegation (A) Discourtesy: PO Sabrina acted discourteously to § 87(2)(b)
§ 87(2)(b) alleged that PO Alicea threw his § 87(2)(b) identification card into his vehicle.

§ 87(2)(b) testified that upon being pulled over, he could not locate his driver's license. He initially provided his § 87(2)(b) identification card to PO Alba. He stated that he then located his driver's license. After handing his driver's license to PO Alicea, PO Alicea flicked § 87(2)(b)'s § 87(2)(b) identification card onto the floor of his vehicle, on the driver's side. § 87(2)(b) stated he then requested a supervisor on scene. At that point, officers returned to their vehicle. At around 8:00pm, a sergeant arrive on scene. After speaking with the sergeant, § 87(2)(b) was issued four summonses by PO Alba. He then left the scene (BR01).

§ 87(2)(b) § 87(2)(g)
§ 87(2)(b) stated that she observed PO Alicea flick § 87(2)(b)'s § 87(2)(b) identification card onto the floor of his vehicle, on the driver's side (BR02).

Between April 11, 2018 and April 27, 2018, two calls were placed to § 87(2)(b). She was not cooperative with the investigation (BR09).

PO Alicea testified that § 87(2)(b)'s vehicle was stopped for having window tints. Upon stopping § 87(2)(b)'s vehicle, PO Alba took the lead initially in speaking to § 87(2)(b). After hearing PO Alba request identification from § 87(2)(b) between one and two time, PO Alicea began to speak to § 87(2)(b). § 87(2)(b) provided PO Alba with his § 87(2)(b) identification card. PO Alicea

informed § 87(2)(b) that he needed to provide the officers with a driver's license. § 87(2)(b) responded that he had provided ID, but after PO Alicea had requested § 87(2)(b)'s driver's license three times, he handed his driver's license to either PO Alba or PO Alicea. PO Alicea testified at that point, PO Alba handed her § 87(2)(b)'s ACS identification card. PO Alicea or PO Alba then handed § 87(2)(b)'s § 87(2)(b) identification card back to him. PO Alicea denied flicking § 87(2)(b)'s § 87(2)(b) identification card into his vehicle (BR03).

PO Alba testified that upon stopping § 87(2)(b)'s vehicle, she spoke to § 87(2)(b) initially. § 87(2)(b) provided her with his § 87(2)(b) identification card. At that point, the officers returned to their vehicle and ran a New York State Department of Motor Vehicles check on § 87(2)(b)'s license plate. The officers returned to § 87(2)(b)'s vehicle. When the officers returned to the vehicle, she did not recall who physically possessed § 87(2)(b)'s § 87(2)(b) identification card. PO Alba did not remember who handed § 87(2)(b)'s § 87(2)(b) identification card back to him. She did not observe PO Alicea throw § 87(2)(b)'s § 87(2)(b) identification card into the vehicle. She stated that after § 87(2)(b)'s § 87(2)(b) identification card was handed back to him, § 87(2)(b) provided his driver's license to PO Alicea (BR04).

PO Aguilar-Martinez testified that upon stopping § 87(2)(b)'s vehicle, PO Alba and PO Alicea approached § 87(2)(b)'s driver side, and he approached § 87(2)(b)'s passenger side. He stated that PO Alba first spoke with § 87(2)(b) in the course of that conversation, PO Alicea began to speak to § 87(2)(b). Eventually, § 87(2)(b) provided his § 87(2)(b) identification card to PO Alba. At that point, the officers returned to their vehicle. PO Aguilar-Martinez recalled that he ran a New York State Department of Motor Vehicles check on § 87(2)(b)'s license plate. A short time later, § 87(2)(b) stuck his hand out of his window, and the officers returned to his vehicle. Upon returning to § 87(2)(b)'s vehicle, PO Alicea returned § 87(2)(b)'s § 87(2)(b) identification card. He stated PO Alicea physically handed § 87(2)(b)'s identification card. PO Aguilar-Martinez stated that PO Alicea did not throw § 87(2)(b)'s § 87(2)(b) identification card into his vehicle (BR05).

§ 87(2)(g)
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Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR08).
- Police Officer Sabrina Alicea has been a member-of-service for seven years and has been a subject in five CCRB complaints and eight allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of April 10, 2018, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (BR06). An additional notice of claim search was filed on April 26, 2018. The results of this request are pending, and will be added to the case file.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 15

Investigator: _____
 Signature Print Title & Name Date

Squad Leader: _____
 Signature Print Title & Name Date

Reviewer: _____
 Signature Print Title & Name Date

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